

# TEXAS TRANSPORTATION COMMISSION

Various Counties

## MINUTE ORDER

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Various Districts

Transportation Code, §201.206, authorizes the Texas Department of Transportation (department) to accept a donation in any form, including realty, personalty, money, materials, and services, for the purpose of carrying out its functions and duties. Government Code, Chapter 575, requires the governing board of a state agency to acknowledge the acceptance of a donation valued at \$500 or more by majority vote at an open meeting, not later than the 90th day after the date the donation is accepted. It also prohibits a state agency from accepting a donation from a person who is a party to a contested case before the agency until the 30th day after the date the decision in the case becomes final.

The Texas Transportation Commission (commission) has adopted 43 TAC §§1.500-1.506, which relate to the department's acceptance of donations. Section 1.503 authorizes the executive director to approve acceptance of donations to the department and requires that donations valued at \$500 or more must be acknowledged by order of the commission not later than the 90th day after the date the donation is accepted by the department. It further prohibits acceptance of a gift or donation when the donor is subject to department regulation or oversight or when the donor is interested in or likely to become interested in any contract, purchase, payment, or claim with or against the department, except as provided by that section. It also provides that the executive director may approve the acceptance of a donation, notwithstanding the foregoing proscriptions in the rules, if the executive director determines that acceptance would provide a significant public benefit and would not influence or reasonably appear to influence the department in the performance of its duties.

Transportation Code, §223.049 authorizes the department to contract with an owner of land adjacent to a highway that is part of the state highway system to construct an improvement on the highway right of way that is directly related to improving access to or from the owner's land. Exhibit A lists donations resulting from a contract executed by the department under Transportation Code, §223.049 and other donations accepted under Transportation Code, §201.206.

The commission established the Sponsorship Acknowledgement Program under 43 TAC Chapter 12, Subchapter K. The program, which is authorized by the Federal Highway Administration in FHWA Order 5610.1A, allows the department to place signs acknowledging donations made to the department to fund transportation related services. Exhibit B lists donations made to the department under the Sponsorship Acknowledgement Program.

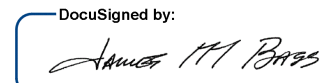
The executive director has determined that the donations identified in the attached exhibits comply with the applicable provisions of 43 TAC §§1.500-1.506, 43 TAC §12.353, Government Code, Chapter 575 and Transportation Code, §201.206, §223.049 and §224.001, and has approved acceptance of those donations. All required donation agreements have been executed under 43 TAC §1.504 and §1.506, as applicable.

IT IS THEREFORE ORDERED by the commission that it acknowledges the acceptance of the donations identified in the attached Exhibits A and B.

Submitted and reviewed by:

Recommended by:

DocuSigned by:  
  
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Director, Contract Services Division

DocuSigned by:  
  
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Executive Director

115909 Dec. 10, 2020

Minute	Date
Number	Passed

**EXHIBIT A  
DONATIONS  
December 10, 2020**

<b>NO.</b>	<b>DONOR</b>	<b>D/D/O</b>	<b>COUNTY</b>	<b>DESCRIPTION</b>	<b>DOLLAR AMOUNT</b>	<b>DATE APPROVED</b>
1.	Applewhite Meadows, Ltd.	San Antonio District	Bexar	The donor is donating the design and construction of a proposed traffic signal and widening of a section of SH 16 approximately 0.35 miles north of the intersection of SH 16 and Applewhite Road to accommodate a left turn deceleration lane into Applewhite Meadows development in San Antonio, Bexar County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$320,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$320,000.00	11/13/2020
2.	Belton Land LLC	Waco District	Bell	The donor is donating the design and construction of a deceleration lane on the northbound frontage road of IH 35 south of Grove Road in Belton, Bell County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$170,000.00.	\$170,000.00	10/29/2020
3.	Coke R. Stevenson Memorial Corporation	Traffic Safety Division	Kimble	The donor is donating a fixed sum of \$4,416.00 to design, fabricate, and install two memorial highway designation signs on the portion of US 377 between the western municipal boundary of Junction to County Road 120, designated as the Governor Coke R. Stevenson Memorial Highway within Kimble County, Texas. The design, fabrication, and installation of the signs will be performed by the state.	\$4,416.00	11/03/2020

<b>NO.</b>	<b>DONOR</b>	<b>D/D/O</b>	<b>COUNTY</b>	<b>DESCRIPTION</b>	<b>DOLLAR AMOUNT</b>	<b>DATE APPROVED</b>
4.	Fred Weber, Inc.	Austin District	Hays	The donor is donating the design and construction of a deceleration lane for a driveway on SH 21 approximately 1 mile south of the intersection of SH 21 and FM 150 in Kyle, Hays County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$200,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$200,000.00	11/10/2020
5.	GC Garden Oaks, L.P.	Houston District	Harris	The donor is donating the design and construction of a left turn lane from northbound N. Shepherd Drive into the donor's development in Houston, Harris County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$100,000.00.	\$100,000.00	10/28/2020
6.	Hunter's Creek Interests, Ltd.	Bryan District	Walker	The donor is donating the design and construction of a left turn lane on eastbound SH 75 into the donor's property located in Huntsville, Walker County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$450,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$450,000.00	10/29/2020
7.	Mackenzie Creek, Ltd.	Houston District	Montgomery	The donor is donating the design and construction of a traffic signal on Loop 336 at Barton Woods Blvd. in Conroe, Montgomery County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$350,000.00.	\$350,000.00	10/26/2020
8.	Magnolia East 149, L.L.C.	Houston District	Montgomery	The donor is donating the design and construction of a new traffic signal at Spur 149 at Red Creek Circle (new street), approx. 1,000 feet south of FM 1488; modifications to the existing signal at FM 1488 at Spur 149; and restriping of FM 1488 from 500 feet East and 500 feet West of Spur 149 for a westbound dual left turn lane into the donor's development in Magnolia, Montgomery County, Texas. The estimated value of the donation is \$530,000.00.	\$530,000.00	11/03/2020

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
9.	Manvel Town Center, Ltd.	Houston District	Brazoria	The donor is donating the design and construction of a traffic signal and roadway tie with deceleration lanes at the intersection of future Kirby Drive and SH 6 as well as two driveways with deceleration lanes and a third without a deceleration lane on westbound SH 6 into the donor's development in Manvel, Brazoria County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$690,000.00. <i>(Replaces previously acknowledged on 6/26/2018 due to a change in scope and an increase in the estimated value of the donation from \$380,000.00 to \$690,000.00.)</i>	\$690,000.00	11/05/2020
10.	PHSA - NW 315, LLC	San Antonio District	Bexar	The donor is donating the designs and construction of a traffic signal at FM 471 and Kallison Ranch located in San Antonio, Bexar County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$350,000.00	\$350,000.00	11/07/2020
11.	QT South, LLC	Austin District	Travis	The donor is donating the design and construction of a hooded left turn lane on westbound FM 969 in Austin, Travis County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$49,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$49,000.00	11/13/2020
12.	Republic Services, Inc.	Traffic Safety Division	Rockwall	The donor is donating a fixed sum of \$10,854.00 to design, fabricate, and install two memorial highway designation signs on the portion of IH 30 within Rockwall County, designated as the Congressman Ralph Hall Highway within Rockwall County, Texas. The design, fabrication, and installation of the signs will be performed by the state.	\$10,854.00	11/05/2020

<b>NO.</b>	<b>DONOR</b>	<b>D/D/O</b>	<b>COUNTY</b>	<b>DESCRIPTION</b>	<b>DOLLAR AMOUNT</b>	<b>DATE APPROVED</b>
13.	The Hetland Family Limited Partnership	Houston District	Galveston	The donor is donating the design and construction of two right turn lanes from Lawrence Road westbound on FM 518 into the donor's development in League City, Galveston County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$88,000.00.	\$88,000.00	11/05/2020
14.	White - Conlee Builders, Ltd.	San Antonio District	San Antonio	The donor is donating the design and construction for a deceleration lane along a section of US 90 at Pue Road as off-site improvements for the Melissa Ranch development in San Antonio, Bexar County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$74,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$74,000.00	10/29/2020

**EXHIBIT B**  
**DONATIONS**  
**December 10, 2020**

<b>NO.</b>	<b>DONOR</b>	<b>D/D/O</b>	<b>COUNTY</b>	<b>DESCRIPTION</b>
<b>1</b>	AESA Prep Academy, Inc	Austin	Hays	The donor is donating \$1,440.00 under the Sponsor a Highway Program for a period of 2 years. This is a new contract on an existing sign location.
<b>2</b>	Holdsworth & Nicholas, Inc. dba Texas MedClinic	Austin	Travis	The donor is donating \$2,070.00 under the Sponsor a Highway Program for a period of 2 years. This is a new contract on an existing sign location.
<b>3</b>	Babs Thirty-Four LLC dba Satellite...Eat.Drink.Orbit	Austin	Travis	The donor is donating \$1,206.00 under the Sponsor a Highway Program for a period of 2 years. This is a renewal on an existing sign location.
<b>4</b>	Iron Cactus	Austin	Travis	The donor is donating \$2,592.00 under the Sponsor a Highway Program for a period of 2 years. This is a renewal on two existing sign locations.
<b>5</b>	Luxury Auto Works	Austin	Travis	The donor is donating \$1,440.00 under the Sponsor a Highway Program for a period of 2 years. This is a renewal on an existing sign location.
<b>6</b>	Precision Heating & Air, LLC	Austin	Travis	The donor is donating \$2,772.00 under the Sponsor a Highway Program for a period of 2 years. This is a renewal on two existing sign locations.
<b>7</b>	The Salt Lick	Austin	Travis	The donor is donating \$1,026.00 under the Sponsor a Highway Program for a period of 2 years. This is a renewal on an existing sign location.
<b>8</b>	Total Men's Primary Care	Austin	Travis	The donor is donating \$2,160.00 under the Sponsor a Highway Program for a period of 2 years. This is a renewal on two existing sign locations.
<b>9</b>	Total Men's Primary Care	Austin	Williamson	The donor is donating \$2,160.00 under the Sponsor a Highway Program for a period of 2 years. This is a renewal on an existing sign location.
<b>10</b>	Golden Tree Restaurants LLC	Dallas	Dallas	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program

<b>11</b>	McLane Arlington	Fort Worth	Tarrant	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
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